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09/12/2005 03:07 PM To  
Group A-AND-R-DOCKET@EPA  
cc

bcc

Subject  
Attention: Docket ID No. OAR-2004-0094

Comments on Docket ID No. OAR-2004-0094 are attached.  
Thank you very much.  
Tammy Dowe  
Manager, Corporate Legislative Issues  
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<<CITGO SSM Comment9-12-05.doc>>

September 12, 2005

Mr. Stephen L. Johnson  
Administrator  
U.S. Environmental Protection Agency (EPA)  
1200 Pennsylvania Ave., NW  
Washington, DC, 20460

**Attention: Docket ID No. OAR-2004-0094**

Dear Administrator Johnson:

CITGO Petroleum Corporation (“CITGO”) owns and operates five petroleum refineries with a combined refining capacity of 865 million bpd. CITGO offers the following comments relating to the current Startup, Shutdown, and Malfunctions (SSM) plans under consideration by the EPA.

CITGO concurs with EPA that the SSM plans contain sensitive information not intended for general or public release. In addition, since plans are technical in nature, review of plans requires some level of expertise and familiarity with the facility. Release to the general public would not necessarily lead to understanding of or the ability to contribute to the management of the facility.

CITGO already complies with the general duty portion of the MACT rule and has developed SSM plans required to minimize emissions during SSM. CITGO finds it difficult to imagine any instance in which these plans should be made available to the public, since there is no “public” information in them. The startup, shutdown and malfunction plans offer a potential roadmap on how to disrupt operations, and in general include various scenarios of failure modes. This is a security threat, offering a ready-made guide on instigation of malfunctions, which could be catastrophic in nature. The plan(s) are detailed operating instructions for the units in the facility, and as such could pose greater potential for harm in the wrong hands. It would, in fact, be contrary to the public interest to release these plans to the public. The recent publication on the internet of Risk Management Plan Executive Summaries by *OMB Watch* illustrates this point.

In addition to the existing SSM plans, CITGO has extensive local emergency plans in place that are designed to notify and protect the public in the event of any off-site impact. Each facility manager coordinates with local emergency responders to ensure that any upsets at local plants do not impact the greater community or if an upset would possibly impact the greater community that the impacted community is warned or evacuated. CITGO believes that this system is the best way to inform and protect the public and publication of the SSM plans would actually result in greater risk to the public by potentially putting sensitive information in the wrong hands.

With the question of safety and security of chemical manufacturing facilities under such scrutiny by Congress and of such concern to the U.S. Department of Homeland Security, CITGO feels release of the SSM Plans to the public would undermine Congressional intent and show a lack of concern on EPA's part for public safety and security, which is certainly not the intent of federal decision makers.

CITGO wants to reiterate its support of EPA's decision not to release SSM plans to the general public and encourages the EPA to continue close scrutiny of requests for public release of information that compromises the safety and security of the country's industrial base.

Thank you for the opportunity to comment on this important matter.

Sincerely,

*[Electronic Transmission]*

Allen Greene  
Manager, Environmental Protection